



Receipt #8

PATENT
Attorney Docket No.: INVIT1120-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

APR 11 2002

TECH CENTER 1600/2900

Applicants: Joseph M. Fernandez et al.

Art Unit: 1646

Serial No.: 09/990,091

Examiner

Filed: November 21, 2001

Title: METHODS FOR PRODUCING LIBRARIES OF EXPRESSIBLE GENE
SEQUENCES

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,
please find the following:

- (1) Response to Request for Corrected Filing Receipt (2 pgs)
- (2) Request for Corrected Filing Receipt; (2 pgs);
- (3) Copy of Filing Receipt reflecting changes; (2 pgs); and
- (4) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are
being deposited with the United States Postal Service as first class
mail on this date, 3-22-02, in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231

Yinia Najar
(Name of Person mailing Paper)

[Signature] 3-22-02
(Signature of Person Mailing Paper) Date

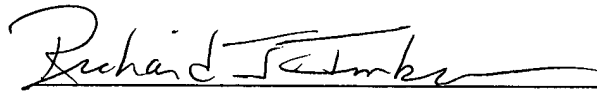
In re Application of:
Joseph M. Fernandez
Application No.: 09/990,091
Filed: November 21, 2001
Page 2

PATENT
Attorney Docket No.: INVIT1120-3

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date: March 22, 2002



Richard J. Imbra
Registration No. 37,643
Telephone: (858) 677-1496
Facsimile: (858) 677-1465

USPTO CUSTOMER NO. 28213

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133



UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT DOCKETING

MAR 19 2002

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/990,091	11/21/2001	Joseph M. Fernandez	INVIT1120-3

28213
GARY CARY WARE & FRIENDENRICH LLP
4365 EXECUTIVE DRIVE
SUITE 1600
SAN DIEGO, CA 92121-2189

CONFIRMATION NO. 1288



OC000000007590852

Date Mailed: 03/06/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:


- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 USC 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order:
Country, Application number, Filing date.



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Office of Initial Patent Examination
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Attorney Docket No.: INVIT1120-3

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TECH CENTER 1600/2900

Applicants: Joseph M. Fernandez et al.

Art Unit: 1646

Serial No.: 09/990,091

Examiner

Filed: November 21, 2001

Title: METHODS FOR PRODUCING LIBRARIES OF EXPRESSIBLE GENE
SEQUENCES

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

SECOND REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

Please ADD in the priority data to read as follows —**WHICH IS A CIP OF U.S. SERIAL NO. 09/054,936, FILED APRIL 3, 1998—**.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>3-22-02</u> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
<u>Yinia Najar</u>	
(Name of Person mailing Paper)	
<u>[Signature]</u>	<u>3-22-02</u>
(Signature of Person Mailing Paper)	Date

In re Application of:
Joseph M. Fernandez
Application No.: 09/990,091
Filed: November 21, 2001
Page 2

PATENT
Attorney Docket No.: INVIT1120-3

Applicants accordingly request the correction be made of record.

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: March 22, 2002



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/990,091	11/21/2001	1646	0.00	INVIT1120-3	1	38	4

CONFIRMATION NO. 1288

28213
GARY CARY WARE & FRIENDENRICH LLP
4365 EXECUTIVE DRIVE
SUITE 1600
SAN DIEGO, CA 92121-2189**FILING RECEIPT**

OC000000007178773

Date Mailed: 12/10/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)Joseph M. Fernandez, Carlsbad, CA;
John A. Heyman, Rixensart, BELGIUM;
James P. Hoeffler, Carlsbad, CA;
Heather L. Marks-Hull, Oceanside, CA;
Michelle L. Sindici, San Diego, CA;**Assignment For Published Patent Application**

INVITROGEN CORPORATION;

Domestic Priority data as claimed by applicantTHIS APPLICATION IS A CON OF 09/843,281 04/25/2001
WHICH IS A CON OF 09/647,651 ABN
WHICH IS A 371 OF PCT/US99/07270 04/02/1999*WHICH IS A CIP OF U.S. SERIAL No 09/054, 936 FILED APRIL 3, 1998***Foreign Applications**

UNITED STATES OF AMERICA US99/07270 04/02/1999

If Required, Foreign Filing License Granted 12/04/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Methods for producing libraries of expressible gene sequences

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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